IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF ARKANSAS PINE BLUFF DIVISION

BENJAMIN MUHAMMAD, ADC #089586 **PLAINTIFF**

v.

5:14CV00375-JM-JTK

RAY HOBBS, et al.

DEFENDANTS

ORDER

The Court has received proposed findings and recommendations from United States Magistrate Judge Jerome T. Kearney. After a review of those proposed findings and recommendations, and the timely objections¹ received thereto, as well as a <u>de novo</u> review of the record, the Court adopts them in their entirety. Accordingly,

IT IS, THEREFORE, ORDERED that:

- 1. Plaintiff's Complaint against Defendants is DISMISSED without prejudice, for failure to state a claim upon which relief may be granted.
 - 2. This dismissal constitutes a "strike" within the meaning of the PLRA.
- 3. The Court certifies that an <u>in forma pauperis</u> appeal from an Order and Judgment dismissing this action would not be in good faith, pursuant to 28 U.S.C. § 1915(g).

An appropriate Judgment shall accompany this Order.

IT IS SO ORDERED this 3rd day of February, 2015.

JAMES M. MOODY, JR. UNITED STATES DISTRICT JUDGE

¹ The Court has reviewed Plaintiff's Motion for Preliminary Injunction (ECF No. 57) and deems it to be an objection to the proposed findings and recommendations.